

**REGULATION OF THE MINISTER OF ENERGY AND MINERAL RESOURCES OF THE REPUBLIC OF  
INDONESIA**

**NUMBER 11 OF 2025**

**ON**

**PROCEDURES FOR IMPLEMENTING MINERAL MANAGEMENT AND UTILIZATION ACTIVITIES IN THE  
INTERNATIONAL SEA BED AREA**

**BY THE GRACE OF GOD ALMIGHTY**

**THE MINISTER OF ENERGY AND MINERAL RESOURCES OF THE REPUBLIC OF INDONESIA,**

Considering:

that in order to implement the provisions of Article 21, Article 26, Article 33, Article 35, Article 38 paragraph (5), Article 46 paragraph (4), Article 49, Article 54, and Article 55 paragraph (4) of Regulation of the Minister Number 80 of 2023 on Indonesia's Active Role in the International Seabed Area, it has been deemed necessary to establish Regulation of the Minister of Energy and Mineral Resources on Procedures for Implementing Mineral Management and Utilization Activities in the International Seabed Area;

Observing:

1. Article 17 paragraph (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916) as amended by Law Number 61 of 2024 on the Amendment to Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2024 Number 255, Supplement to the State Gazette of the Republic of Indonesia Number 6994);
3. Regulation of the Minister Number 169 of 2024 on the Ministry of Energy and Mineral Resources (Official Gazette of the Republic of Indonesia of 2024 Number 365);
4. Regulation of the Minister Number 80 of 2023 on Indonesia's Active Role in the International Seabed Area (Official Gazette of the Republic of Indonesia of 2023 Number 156);
5. Regulation of the Minister of Energy and Mineral Resources Number 9 of 2024 on the Organization and Work Procedures of the Ministry of Energy and Mineral Resources (Official Gazette of the Republic of Indonesia of 2024 Number 414);

**HAS DECIDED:**

To establish:

**REGULATION OF THE MINISTER OF ENERGY AND MINERAL RESOURCES ON PROCEDURES FOR  
IMPLEMENTING MINERAL MANAGEMENT AND UTILIZATION ACTIVITIES IN THE INTERNATIONAL SEA  
BED AREA.**

## CHAPTER I GENERAL PROVISIONS

### Article 1

Under this Regulation of the Minister, the following definitions are employed:

1. International Seabed Area (Kawasan Dasar Laut Internasional), from this point onwards is referred to as KDLI, is the seabed and the land beneath it which is located outside the jurisdictional boundaries of Indonesia.
2. Mineral is an inorganic compound that occurs in nature, which has certain physical and chemical properties as well as regular crystalline arrangements or their combinations that form rocks, either in loose or solid form.
3. Convention is the United Nations Convention on the Law of the Sea of 1982 as ratified by Law Number 17 of 1985 on the Ratification of the United Nations Convention on the Law of the Sea (Konvensi Perserikatan Bangsa-Bangsa tentang Hukum Laut).
4. Implementation Agreement is the Agreement Relating to the Implementation of Part XI of The United Nations Convention on The Law of The Sea of 10 December 1982 as ratified by Presidential Decree Number 178 of 1999 on the Ratification of the Agreement Relating to The Implementation of Part XI of The United Nations Convention on The Law of The Sea of 10 December 1982.
5. International Seabed Authority, from this point onwards is referred to as the Authority, is an international institution established by the Convention and has the mandate to manage Mineral resources in the KDLI for the benefit of all mankind in accordance with the provisions of the Convention and the Implementing Agreement.
6. Authority Regulations are all the rules and provisions of the Authority that govern the management, utilization of Minerals, and protection of KDLI for the benefit of humanity in accordance with the Convention and the Implementation Agreement.
7. Prospecting is an investigation activity to determine general geological conditions and indications of Mineralization, including composition, estimates of the size of Mineral resources, distribution areas of Mineral resources, and the economic value of Mineral resources in KDLI without any exclusive rights.
8. Exploration of the International Seabed Area, from this point onwards is referred to as Exploration, is an activity to follow up on the results of Prospecting in order to collect more focused and detailed data on the location, shape, dimensions, distribution, quality, and potential of Mineral resources, as well as information on the marine environment with exclusive rights in KDLI.
9. Exploitation of the International Seabed Area, from this point onwards is referred to as Exploitation, is an activity to follow up on the results of Exploration in part or all of the locations that have been determined as targets for taking Mineral resources or reserves, including construction, mining, processing, refining, transportation and/or sales, as well as environmental impact control in the KDLI.
10. Work Plan is a work plan for carrying out Exploration or Exploitation activities which must obtain approval from the Authority.
11. Support Certificate is a certificate issued to assigned state-owned enterprises, business entities, and foreign business entities that receive support and are under the effective control of the Unitary State of the Republic of Indonesia to carry out Exploration and Exploitation activities in KDLI.
12. Business Entity is any legal entity engaged in the mining sector that is established under Indonesian law and domiciled within the territory of the Unitary State of the Republic of Indonesia.

13. Foreign Business Entity is any Business Entity that is established and has legal status in a country that has become a member of the Convention outside the territory of the Unitary State of the Republic of Indonesia.
14. State-Owned Enterprise (Badan Usaha Milik Negara), from this point onwards is referred to as BUMN, is a BUMN engaged in the mining sector in accordance with the provisions of laws and regulations.
15. Prospective Contractor is a Business Entity, assigned BUMN, or Foreign Business Entity that has obtained a Support Certificate and has not yet obtained a contract with the Authority.
16. Contractors are a Business Entity, assigned BUMN, or Foreign Business Entity that has obtained a Support Certificate and a contract with the Authority.
17. Coordination Team for Increasing Indonesia's Active Role in KDLI, from this point onwards is referred to as the Coordination Team, is a team tasked with accelerating the implementation of Indonesia's activities in KDLI.
18. Central Government is the President of the Republic of Indonesia who holds the power of government of the Republic of Indonesia assisted by the Vice President and the Minister as referred to in the 1945 Constitution of the Republic of Indonesia.
19. Minister is the minister who organizes government affairs in the energy and Mineral resources sector.

## **Article 2**

- (1) The scope of this Regulation of the Minister shall regulate the procedures for implementing Mineral management and utilization activities in KDLI.
- (2) Management as referred to in paragraph (1) shall include:
  - a. Prospecting;
  - b. Exploration; and
  - c. Exploitation;
- (3) Utilization as referred to in paragraph (1) shall include the utilization of Minerals resulting from Exploitation activities which are used to contribute to national development.

## **CHAPTER II**

### **MINERAL MANAGEMENT IN THE INTERNATIONAL SEA BED AREA**

#### **Division One**

#### **Prospecting**

#### **Subdivision 1**

#### **General**

## **Article 3**

- (1) Prospecting activities shall be carried out by:

- a. Minister; or
  - b. Business Entity,
- during the period requested and approved by the Authority.
- (2) The Minister in carrying out Prospecting activities as referred to in paragraph (1) letter a may:
- a. carry it out themself;
  - b. cooperate with government institutions that organize government affairs in the fields of research, development, assessment, and application as well as invention and innovation, implementation of nuclear power, and implementation of space;
  - c. cooperate both bilaterally and multilaterally with other countries that have ratified the Convention; or
  - d. assign BUMN.
- (3) The implementation of Prospecting activities by a Business Entity as referred to in paragraph (1) letter b may be carried out by:
- a. BUMN; or
  - b. private Business Entities for domestic investment or private Business Entities for foreign investment.
- (4) Prospecting activities carried out by the Minister or Business Entity as referred to in paragraph (1) shall be carried out after receiving a notification stating that the notification submission has been recorded in accordance with the Authority Regulations.

#### **Subdivision 2**

#### **Prospecting Activities Carried Out by the Minister Themself**

#### **Article 4**

- (1) The implementation of Prospecting activities carried out by the Minister themself as referred to in Article 3 paragraph (2) letter a, shall be preceded by the submission of a notification application accompanied by administrative completeness and supporting documents for the notification application to the minister who organizes government affairs in the foreign affairs sector.
- (2) Fulfillment of administrative completeness and supporting documents as referred to in paragraph (1) shall be carried out in accordance with the requirements and provisions of the Authority Regulations.
- (3) Submission of the application for submission of notification as well as the administrative completeness and supporting documents as referred to in paragraph (1) and paragraph (2) shall be submitted to the minister who organizes government affairs in the foreign affairs sector.
- (4) Upon the application as referred to in paragraph (3), the minister who organizes government affairs in the foreign affairs sector shall deliver a notification to the secretary general of the Authority.

#### **Subdivision 3**

#### **Prospecting Activities Carried Out by Business Entities**

#### **Article 5**

- (1) The implementation of Prospecting activities carried out by the Business Entity as referred to in Article 3 paragraph (1) letter b shall be preceded by the submission of administrative completeness and supporting documents for the notification submission application to the Minister.
- (2) Administrative completeness and supporting documents for the notification submission application as referred to in paragraph (1) shall include:
  - a. business registration number;
  - b. a document stating the availability of experts in the field of Prospecting as evidenced by a competency certificate;
  - c. Prospecting activity plan which must contain at least:
    1. coordinates of the planned Prospecting location;
    2. basis for consideration of location selection, implementation plan, and time period for the requested Prospecting activities;
    3. plans and methods for bathymetric surveys, geophysical surveys, sampling plans, and laboratory analyses; and
    4. budget plan;
  - d. a statement letter from the Business Entity stating:
    1. compliance with the provisions of the Convention, Implementing Agreement, and/or Authority Regulations;
    2. willingness to cooperate in the field of training programs related to marine scientific research and protection and maintenance of the marine environment;
    3. receipt of verification results from the Authority regarding compliance aspects;
    4. willingness to submit Prospecting results data in accordance with Authority Regulations; and
    5. submission of mitigation documents related to environmental protection and maintenance to the Authority;
  - e. cooperation plan if involving other parties in the implementation of Prospecting; and
  - f. other completeness required for submitting a Prospecting Application based on the provisions of the Convention, Implementation Agreement, and/or Authority Regulations.
- (3) The Minister shall evaluate the administrative completeness and supporting documents for the notification submission application as referred to in paragraph (2).
- (4) Based on the evaluation results as referred to in paragraph (3):
  - a. the Minister shall forward the notification application to the minister who organizes government affairs in the foreign affairs sector within a maximum period of 15 (fifteen) business days after the administrative completeness and supporting documents have been dully submitted by the Business Entity; or
  - b. the Minister may reject a notification application to the Authority within a maximum period of 15 (fifteen) business days from the date the application is received.

#### **Subdivision 4**

#### **Prospecting Activities by Government Institutions Organizing Government Affairs in the Fields of Research, Development, Assessment, and Application as well as Invention and Innovation,**

## Implementation of Nuclear Energy, and Implementation of Space

### Article 6

- (1) The implementation of Prospecting activities carried out in collaboration as referred to in Article 3 paragraph (2) letter b shall be preceded by an offer of Prospecting areas by the Minister to the Head of the government institutions that organize government affairs in the field of research, development, assessment, and application as well as invention and innovation, implementation of nuclear power and implementation of outer space, equipped with the budget provided.
- (2) In the case of government institutions that organize government affairs in the field of research, development, assessment, and application as well as invention and innovation, nuclear energy management and space management being interested in the Minister's offer as referred to in paragraph (1), the Head of the institution must submit a statement of interest accompanied by administrative documents and supporting documents for the notification application to the Minister within a maximum period of 30 (thirty) business days from the time of the offer.
- (3) Administrative completeness and supporting documents as referred to in paragraph (2) shall include:
  - a. a document stating the availability of experts in the field of Prospecting as evidenced by a competency certificate;
  - b. Prospecting activity plan which must contain at least:
    1. coordinates of the planned Prospecting location;
    2. basis for consideration of location selection, implementation plan, and time period for Prospecting activities;
    3. plans and methods for bathymetric surveys, geophysical surveys, sampling plans, and laboratory analyses; and
    4. budget plan;
  - c. a statement stating:
    1. compliance with the provisions of the Convention, Implementing Agreement, and/or Authority Regulations;
    2. willingness to cooperate in the field of training programs related to marine scientific research and protection and maintenance of the marine environment;
    3. receipt of verification results from the Authority regarding compliance aspects;
    4. willingness to submit Prospecting results data in accordance with Authority Regulations; and
    5. submission of mitigation documents related to environmental protection and maintenance to the Authority;
  - d. cooperation plan if involving other parties in the implementation of Prospecting; and
  - e. other completeness required for submitting a Prospecting application based on the provisions of the Convention, Implementation Agreement, and/or Authority Regulations.
- (4) The Minister shall evaluate the administrative completeness and supporting documents for the statement of interest as referred to in paragraph (3).
- (5) Based on the evaluation results as referred to in paragraph (4), the Minister shall provide approval for the statement of interest within a maximum period of 30 (thirty) business days after the statement of interest accompanied by the Prospecting activity plan has been dully submitted.



### **Article 7**

The provisions regarding applications for Prospecting activities in the context of submitting Notifications to the Authority as referred to in Article 5 shall apply mutatis mutandis to the provisions for applications for Prospecting activities carried out based on cooperation, either bilaterally or multilaterally, with Foreign Business Entities from other countries that have ratified the Convention.

### **Article 8**

- (1) The Minister shall deliver a notification application based on the fulfillment of the requirements as referred to in Article 4, Article 5, Article 6, or Article 7 to the minister who organizes government affairs in the foreign affairs sector.
- (2) Submission of Notification as referred to in paragraph (1) shall be submitted in accordance with the provisions of the Authority Regulations, which include:
  - a. the name, nationality, and address of the Business Entity to which the Minister has forwarded the request for notification to carry out Prospecting as referred to in Article 5 paragraph (4) if the application is submitted by the Business Entity;
  - b. coordinates of the location where the prospecting will be carried out, in accordance with widely accepted international standards used by the Authority;
  - c. general description of the Prospecting program, including the start date of Prospecting and the estimated duration of Prospecting activities; and
  - d. the statement letter as referred to in Article 5 paragraph (2) letter d or Article 6 paragraph (3) letter c.
- (3) The application as referred to in paragraph (1) shall be followed up by the minister who organizes government affairs in the foreign affairs sector in accordance with laws and regulations in the field of KDLI.

### **Subdivision 5**

#### **Funding for Prospecting Activities**

### **Article 9**

- (1) Funding for Prospecting activities carried out by the Minister or carried out in collaboration with government institutions that organize government affairs in the fields of research, development, assessment, and application as well as invention and innovation, implementation of nuclear power, and implementation of outer space shall use the state revenue and expenditure budget or other legitimate sources in accordance with the provisions of laws and regulations.
- (2) Funding for Prospecting activities carried out by Business Entities shall originate from Business Entity funding.
- (3) In the case of a Business Entity as referred to in paragraph (2) being a BUMN, funding shall originate from BUMN funding.
- (4) Funding for Prospecting activities carried out in cooperation both bilaterally and multilaterally with other countries that have ratified the Convention shall originate from sources agreed upon in the cooperation agreement.

## **Subdivision 6**

### **Implementation of Prospecting Activities**

#### **Article 10**

- (1) Prospecting activities shall be carried out during a period of time approved by the Authority.
- (2) The person carrying out the Prospecting activity has the right to obtain the excavated Minerals in reasonable quantities for the purpose of taking samples based on the approval of the Authority.
- (3) Prospecting activities cannot be carried out in the following areas:
  - a. Exploration and Exploitation contracts that have been approved by the Authority;
  - b. reserve areas that have been determined by the Authority; and
  - c. designated by the Authority as a prohibited area due to the serious and hazardous risks to the environment resulting from activities at KDLI.
- (4) The implementer of Prospecting activities as referred to in paragraph (2) has the right to submit an application to carry out Exploration activities to the Minister.

#### **Article 11**

- (1) The Minister may monitor the implementation of Prospecting activities.
- (2) The Minister may recommend the termination of Prospecting activities if based on the monitoring results as referred to in paragraph (1):
  - a. the implementer of the Prospecting activity does not fulfill the obligations in accordance with provisions of the laws and regulations; and
  - b. there is a request to terminate the Prospecting activities from the Prospecting activity implementer.
- (3) The Minister shall submit a recommendation for the termination of Prospecting activities as referred to in paragraph (2) to the Secretary General of the Authority through the Minister who organizes government affairs in the foreign affairs sector.

#### **Article 12**

In the event that the Minister recommends the termination of Prospecting activities as referred to in Article 11 paragraph (2), the implementer of Prospecting activities shall be fully responsible for claims for compensation resulting from the negligence and failure of the implementer of Prospecting activities to fulfill their obligations regarding the provisions of the Convention, Implementation Agreement, Authority Regulations and/or Cooperation Agreement during the implementation of Prospecting activities.

## **Subdivision 7**

### **End of Prospecting Activities**

#### **Article 13**



Prospecting activities carried out by the Minister himself shall end when the Prospecting activities have been completed in accordance with the activity plan and time period approved by the Authority.

#### **Article 14**

- (1) Prospecting activities carried out by a Business Entity shall end because:
  - a. the Business Entity implementing Prospecting has completed Prospecting activities and met Prospecting targets;
  - b. revocation of approval for the implementation of Prospecting by the Authority; or
  - c. the expiration of the Prospecting period approved by the Authority.
- (2) Any losses arising as a result of the revocation of the Prospecting implementation approval by the Authority as referred to in paragraph (1) letter b, shall be borne by the Prospecting implementer.

#### **Article 15**

Prospecting activities carried out by government institutions that organize government affairs in the fields of research, development, assessment, and application as well as invention and innovation, nuclear energy management, and space management shall end when the Prospecting activities have been completed in accordance with the activity plan and time period approved by the Authority.

#### **Article 16**

Prospecting activities carried out in cooperation, both bilaterally and multilaterally, with other countries that have ratified the Convention shall end when:

- a. the Prospecting activities have been completed and met the Prospecting targets;
- b. approval for the implementation of Prospecting is revoked by the Authority; or
- c. the period approved by the Authority expires.

#### **Article 17**

Business Entities that have completed Prospecting activities and have met Prospecting targets shall be prioritized to obtain a Support Certificate for Exploration activities to continue Exploration activities.

### **Division Two**

#### **Exploration**

#### **Subdivision 1**

##### **General**

#### **Article 18**

- (1) Exploration activities may be carried out by:

- a. Minister; or
  - b. Business entity,
- in accordance with the Exploration Work Plan and Exploration contract approved by the Authority.
- (2) The Minister in carrying out Exploration activities as referred to in paragraph (1) letter a may:
- a. carry it out themself;
  - b. cooperate with Business Entities;
  - c. cooperate with other countries that have become members of the Convention through cooperation agreements; or
  - d. assign BUMN.
- (3) The implementation of Exploration activities by a Business Entity as referred to in paragraph (1) letter b may be carried out by:
- a. BUMN; or
  - b. private Business Entities for domestic investment or private Business Entities for foreign investment.

#### **Article 19**

- (1) In the event that the Minister cooperates with another country as referred to in Article 18 paragraph (2) letter c, Exploration activities may be carried out by a Business Entity or a Foreign Business Entity that is jointly appointed.
- (2) Foreign Business Entities appointed jointly as referred to in paragraph (1) must comply with provisions of the laws and regulations.

#### **Subdivision 2**

#### **Issuance of Support Certificates for Exploration Activities**

#### **Article 20**

- (1) Exploration activities carried out by the Business Entity as referred to in Article 18 paragraph (1) letter b and the Business Entity or Foreign Business Entity jointly appointed as referred to in Article 19 paragraph (1) shall be based on a Support Certificate issued by the Minister.
- (2) Applications for the issuance of a Support Certificate as referred to in paragraph (1) must be submitted in writing or via electronic mail by fulfilling the criteria and requirements.

#### **Article 21**

The criteria as referred to in Article 20 paragraph (2) shall include:

- a. have the qualifications to carry out Exploration activities;
- b. have qualifications in terms of financial, technological, and human resource capabilities;
- c. have qualifications with good performance based on the Authority's assessment, if the Business Entity has a contract with the Authority; and

- d. carry out the obligations of the applicant and sponsor country and be willing to comply with the provisions of laws and regulations, provisions of the Convention, the Implementing Agreement, and the Authority Regulations on an ongoing basis.

## Article 22

- (1) The requirements as referred to in Article 20 paragraph (2) shall consist of administrative, technical, environmental, and financial requirements.
- (2) The administrative requirements as referred to in paragraph (1) shall consist of:
  - a. letter of application for issuance;
  - b. business registration number or deed of establishment for Foreign Business Entities; and
  - c. integrity pact document stating a commitment to:
    - 1. carry out the obligations of the applicant and sponsor country and be willing to comply with the provisions of legislation and international law;
    - 2. comply with the terms and conditions as set out in the Convention;
    - 3. submit a contract application to the Authority within a time period in accordance with the Support Certificate provided; and
    - 4. not provide any information related to the application submitted to other parties.
- (3) The technical requirements as referred to in paragraph (1) shall consist of:
  - a. the technology, equipment, and methods used and access to the technology to be used;
  - b. Mineral management potential analysis document at KDLI;
  - c. documents stating the availability of experts in the field of Exploration as evidenced by a competency certificate;
  - d. Mineral management work plan at KDLI which is prepared in accordance with the Authority Regulations; and
  - e. training plan document in accordance with Authority Regulations.
- (4) The environmental requirements as referred to in paragraph (1) shall consist of:
  - a. environmental management studies and environmental management plans in the Mineral management area at KDLI which are prepared in accordance with the criteria of the Authority Regulation;
  - b. mitigation plan for prevention and handling of accidents and pollution resulting from activities at KDLI; and
  - c. environmental impact recovery plan in areas where Exploration activities are carried out.
- (5) The financial requirements as referred to in paragraph (1) shall consist of:
  - a. internationally recognized insurance coverage to guarantee the prevention of accidents and pollution including liability for damages that may occur;
  - b. financial statements for the last 3 (three) years that have been audited by an internationally certified public accountant or for new companies, it is mandatory to obtain a financial reference letter/guarantee letter from the parent company or its affiliates;
  - c. proof that the applicant has spent at least or equal to USD30,000,000 (thirty million US dollars) for

- research and/or Exploration activities in accordance with the Authority Regulations;
- d. have sufficient funding and are committed to using the available funding for Exploration activities; and
  - e. Letter of financing support from a bank or non-bank financial institution.

### **Article 23**

- (1) The Minister shall evaluate the application as referred to in Article 20 paragraph (2).
- (2) In carrying out the evaluation as referred to in paragraph (1), the Minister may involve representatives of the relevant ministries/institutions who are members of the Coordination Team.
- (3) Based on the evaluation results as referred to in paragraph (1) and paragraph (2):
  - a. the Minister shall issue a Support Certificate within a maximum period of 15 (fifteen) business days after the criteria and requirements are fulfilled completely and correctly; or
  - b. the Minister may reject an application for the issuance of a Support Certificate within a maximum period of 15 (fifteen) business days after the application is received.
- (4) The Support Certificate shall be provided in the form of a letter that contains at least:
  - a. name of the Business Entity that received the Support Certificate;
  - b. types of Minerals managed;
  - c. activities according to the stages of Mineral management activities at KDLI;
  - d. the coordinate location where the Support Certificate is valid;
  - e. terms and conditions for the validity of the Support Certificate;
  - f. period of granting of Support Certificate;
  - g. rights and obligations of recipients of Support Certificates;
  - h. coaching and supervision mechanisms;
  - i. provisions for revocation of Support Certificate;
  - j. express statement that the sponsored Business Entity is genuinely sponsored by the Central Government and is subject to effective control by the Central Government;
  - k. date of deposit of the Central Government's instrument of ratification of the Convention;
  - l. declaration that the Central Government accepts responsibility in accordance with the provisions of Article 139 paragraph (4), Article 153 paragraph (4) of the Convention, and Article 4 paragraph (4) of Appendix III of the Convention; and
  - m. other matters required or deemed relevant as listed in accordance with the provisions of the Convention, the Implementing Agreement, and the Authority's Regulations on an ongoing basis.

### **Subdivision 3**

### **Implementation of Exploration Activities**

### **Article 24**

The implementation of Exploration activities may only be carried out by Business Entities and Business Entities or Foreign Business Entities appointed jointly after having an Exploration Work Plan in the KDLI which is stated in the Exploration contract approved by the Authority.

#### **Article 25**

- (1) The Exploration Work Plan as referred to in Article 24 shall be prepared and submitted by the Business Entity and the appointed Business Entity or Foreign Business Entity jointly to obtain the Minister's approval.
- (2) The Exploration Work Plan as referred to in paragraph (1) shall contain:
  - a. Exploration area boundaries applied with a list of coordinates in accordance with international standards;
  - b. work plan and budget including facilities and infrastructure used in Exploration activities;
  - c. training plan;
  - d. initial assessment document regarding the impact of Exploration activities on the marine environment and steps to prevent, reduce, and manage environmental impacts; and
  - e. other documents in accordance with the provisions of the Authority Regulations.
- (3) The Minister shall evaluate the application for approval of the Exploration Work Plan as referred to in paragraph (1).
- (4) In carrying out the evaluation as referred to in paragraph (3), the Minister may involve representatives of the relevant ministries/institutions who are members of the Coordination Team.
- (5) The evaluation as referred to in paragraph (3) and paragraph (4) shall include the following aspects:
  - a. conformity of the Exploration Work Plan with the requirements for implementing Exploration activities as determined in the Authority Regulations.
  - b. implementation of good Exploration principles in accordance with the provisions of laws and regulations.
- (6) Based on the evaluation as referred to in paragraph (3) and paragraph (4), the Minister will issue an approval for the Exploration Work Plan within a maximum period of 15 (fifteen) business days after the application is fully submitted by the Business Entity and the jointly appointed Business Entity or Foreign Business Entity.
- (7) If the Work Plan is prepared by the Minister himself as referred to in Article 18 paragraph (2) letter a, the preparation of the Work Plan shall be prepared to be submitted to the minister who organizes government affairs in the foreign sector.

#### **Article 26**

- (1) The Minister shall forward the Support Certificate and Exploration Work Plan which has received approval as referred to in Article 25 paragraph (6) or Article 25 paragraph (7) to the minister who organizes government affairs in the foreign affairs sector.
- (2) The Minister who organizes government affairs in the foreign affairs sector shall submit the Support Certificate and Exploration Work Plan which has received approval as referred to in paragraph (1) to the Authority for evaluation and approval.

### **Article 27**

- (1) Regarding the application for approval of the Exploration Work Plan which has been submitted by the minister who organizes government affairs in the foreign affairs sector as referred to in Article 26 paragraph (2), an evaluation shall be carried out by the Authority by involving the Authority's legal and technical commission.
- (2) Based on the evaluation results as referred to in paragraph (1), the Authority states:
  - a. that the Exploration Work Plan is not in accordance with the provisions of the Convention, Implementation Agreement, and/or Authority Regulations, then the Exploration Work Plan shall be returned to the minister who organizes government affairs in the foreign affairs sector to be revised and resubmitted; or
  - b. that the Exploration Work Plan is in accordance with the provisions of the Convention, Implementation Agreement, and/or Authority Regulations, then an Exploration work contract shall be formed between the Business Entity and the Business Entity or Foreign Business Entity appointed jointly with the Authority.
- (3) Approval of the Exploration Work Plan stating that the application for approval of the Exploration Work Plan is in accordance with the provisions of the Convention, Implementation Approval, and/or Authority Regulations as referred to in paragraph (2) letter b shall be submitted by the Authority to the minister who organizes government affairs in the foreign affairs sector.

### **Article 28**

The Minister who organizes government affairs in the foreign affairs sector shall deliver the return of the application for approval of the Exploration Work Plan or Approval of the Exploration Work Plan to the Minister no later than 3 (three) business days from the date the returned application or approval from the Authority is received.

### **Article 29**

- (1) In the case of an application for approval of an Exploration Work Plan originating from a Business Entity, the Minister shall deliver a return of approval of the application for an Exploration Work Plan from the Authority to the Business Entity within a maximum period of 3 (three) business days from the date the approval is received.
- (2) Regarding the return of the Exploration Work Plan as referred to in Article 27 paragraph (2) letter a for Exploration activities carried out independently or in collaboration, the Minister shall make improvements and re-submit.
- (3) Regarding the return of the Exploration Work Plan as referred to in Article 27 paragraph (2) letter a, for Exploration activities carried out by a Business Entity, the Minister shall submit the return of the Exploration Work Plan to the Business Entity for revision and re-submission.
- (4) The provisions regarding the application for an Exploration Work Plan as referred to in Article 25, Article 26, and Article 27 shall apply mutatis mutandis to the re-submission of an application for an Exploration Work Plan as referred to in paragraph (2) and paragraph (3).

### **Subdivision 4**

#### **Exploration Work Contract**



**Article 30**

- (1) Prospective Contractors that have received approval of the Exploration Work Plan from the Authority as referred to in Article 27 paragraph (2) letter b shall enter into an Exploration work contract with the Authority.
- (2) A copy of the Exploration work contract that has been agreed upon with the Authority as referred to in paragraph (1) must be submitted by the Contractor to the Minister and a copy must be forwarded to the Coordination Team within 7 (seven) business days after the Exploration work contract is signed with the Authority.
- (3) The contents of the Exploration work contract as referred to in paragraph (1) must at least contain the matters specified in the Authority Regulations.

**Subdivision 5****Exploration Activity Period and Area****Article 31**

- (1) Exploration activities shall be granted for a maximum period of 15 (fifteen) years in accordance with the Exploration work contract agreed upon with the Authority.
- (2) The time period as referred to in paragraph (1) may be extended for a maximum period of 5 (five) years.
- (3) An application for an extension as referred to in paragraph (2) may be submitted to the Authority no later than 6 (six) months before the Exploration Work Plan period as referred to in paragraph (1) ends.
- (4) Exploration Extensions that have been approved by the Authority must be submitted to the Minister and forwarded to the Coordination Team within 7 (seven) business days after approval is obtained.

**Article 32**

- (1) The area for Exploration activities that may be granted to Prospective Contractors shall refer to the maximum area determined in the Authority Regulations and the approved Exploration work contract.
- (2) The area as referred to in paragraph (1) must be reduced according to the timetable and mechanism set out in the Authority Regulations.

**Subdivision 6****Exploration Activity Funding****Article 33**

- (1) Funding for Exploration activities carried out by the Minister himself shall use the state revenue and expenditure budget or other legitimate sources in accordance with the provisions of laws and regulations.
- (2) Funding for Exploration activities carried out by the Business Entity shall originate from Business Entity funding.
- (3) In the case of a Business Entity as referred to in paragraph (2) being a BUMN, funding shall originate from BUMN funding.

- (4) In the case of Exploration activities carried out by a Business Entity or a Foreign Business Entity appointed jointly, funding shall originate from sources agreed upon in the cooperation agreement.
- (5) In the event of a change in funding as referred to in paragraph (1) to paragraph (4) for Exploration activities, the Contractor must first request approval from the Minister for the change in funding.

### **Division Three**

#### **Exploitation**

#### **Subdivision 1**

##### **General**

#### **Article 34**

- (1) Exploitation activities may be carried out by:
  - a. Minister; or
  - b. Business entity,in accordance with the Exploitation Work Plan and Exploitation contract approved by the Authority.
- (2) The Minister in carrying out Exploitation activities as referred to in paragraph (1) letter a may:
  - a. carry it out herself;
  - b. cooperate with Business Entities;
  - c. cooperate with other countries that have become members of the Convention through cooperation agreements; or
  - d. assign BUMN.
- (3) The implementation of Exploitation activities by a Business Entity as referred to in paragraph (1) letter b may be carried out by:
  - a. BUMN; or
  - b. private Business Entities for domestic investment or private Business Entities for foreign investment.

#### **Article 35**

- (1) In the event that the Minister cooperates with another country as referred to in Article 34 paragraph (2) letter c, Exploitation activities may be carried out by a Business Entity or a Foreign Business Entity that is jointly appointed.
- (2) Foreign Business Entities appointed jointly as referred to in paragraph (1) must comply with provisions of the laws and regulations.

#### **Subdivision 2**

##### **Issuance of Support Certificates for Exploitation Activities**

### **Article 36**

- (1) Exploitation activities carried out by Business Entities as referred to in Article 34 paragraph (1) letter b and Business Entities or Foreign Business Entities jointly appointed as referred to in Article 35 paragraph (1) shall be based on a Support Certificate issued by the Minister.
- (2) The Support Certificate as referred to in paragraph (1) may be issued after the criteria and requirements in accordance with the provisions of laws and regulations have been fulfilled completely and correctly.
- (3) The Minister may reject an application for the issuance of a Support Certificate if the criteria and requirements are declared incomplete and/or incorrect.
- (4) The criteria and requirements as referred to in paragraph (2) shall refer to the Authority Regulations and at least consist of administrative, technical, environmental, and financial requirements and qualifications.

### **Article 37**

Business Entities and Business Entities or Foreign Business Entities jointly appointed which have obtained a Support Certificate in activities and have carried out Exploration activities in KDLI, shall be guaranteed to obtain a Support Certificate in Exploitation activities.

### **Subdivision 3**

#### **Implementation of Exploitation activities**

### **Article 38**

- (1) The implementation of Exploitation activities may only be carried out after approval of the Exploitation Work Plan stated in the contract with the Authority.
- (2) The Exploitation Work Plan as referred to in paragraph (1) shall be prepared and submitted by the Business Entity and the appointed Business Entity or Foreign Business Entity jointly to obtain the Minister's approval.
- (3) The Exploitation Work Plan as referred to in paragraph (1) shall refer to the requirements specified in the provisions of the Authority Regulation.
- (4) The Minister shall evaluate the application for approval of the Exploitation Work Plan as referred to in paragraph (1).
- (5) In carrying out the evaluation as referred to in paragraph (4), the Minister may involve representatives of the relevant ministries/institutions who are members of the Coordination Team.
- (6) The evaluation as referred to in paragraph (4) and paragraph (5) shall include the following aspects:
  - a. conformity of the Exploitation Work Plan with the requirements for implementing Exploitation activities as determined in the Authority Regulations.
  - b. implementation of good Exploitation principles in accordance with the provisions of laws and regulations.
- (7) Based on the evaluation as referred to in paragraph (4) and paragraph (5), the Minister shall issue an approval for the Exploitation Work Plan within a maximum period of 15 (fifteen) business days after the application is dully submitted by the Business Entity and the jointly appointed Business Entity or Foreign Business Entity.

- (8) The Minister shall forward the Support Certificate that has been approved to the minister who organizes government affairs in the foreign affairs sector.
- (9) The Minister who organizes government affairs in the foreign affairs sector shall submit the Support Certificate to the Authority for evaluation and approval.

### **CHAPTER III**

## **UTILIZATION OF MINERALS RESULTING FROM EXPLOITATION ACTIVITIES IN THE INTERNATIONAL SEA BED AREA**

### **Division One**

#### **General**

#### **Article 39**

- (1) Utilization of Minerals from the results of Exploitation activities shall be used for national interests.
- (2) Utilization as referred to in paragraph (1) shall be carried out through the following activities:
  - a. processing of Minerals resulting from domestic Exploitation activities;
  - b. processing of Minerals resulting from Exploitation activities abroad as raw materials for downstream industries domestically; and/or
  - c. sales and marketing of Minerals resulting from Exploitation activities abroad.
- (3) In implementing the utilization of the results of Exploitation activities as referred to in paragraph (2) letter a and letter b, Minerals entering Indonesian customs territory shall be treated the same as Minerals originating from mining business activities within the country.
- (4) Equal treatment as referred to in paragraph (3) shall be in the form of:
  - a. exemption from import duties; and
  - b. VAT exemption on import of goods,in accordance with provisions of the laws and regulations.
- (5) Mineral Utilization Activities from the results of Exploitation activities as referred to in paragraph (2) may be consulted with the Coordination Team.

### **Division Two**

#### **Increasing the Added Value of Domestic Minerals**

#### **Article 40**

- (1) Minerals originating from areas in the KDLI sponsored by Indonesia and utilized as stipulated in Article 39 paragraph (2) letter a and letter b shall be subject to increased added value in the context of downstreaming Minerals domestically.
- (2) Contractors that carry out increased added value domestically as referred to in paragraph (1) must meet applicable business licensing standards and establish new business entities in accordance with the

provisions of laws and regulations.

- (3) New business entities in accordance with provisions of the laws and regulations as referred to in paragraph (2) must have a mining business license if the Contractor carries out its own activities to increase added value domestically in an integrated manner.
- (4) In the event that the Contractor does not carry out the integrated domestic increase of added value as referred to in paragraph (3), it may collaborate with another party that has a business license in the field of metal Mineral processing and/or refining industry.

### **Division Three**

#### **Mineral Prices, Marketing, and Non-Tax State Revenue**

##### **Article 41**

- (1) Minerals originating from the results of Exploitation activities in KDLI and sold by the Contractor must be sold according to the price set by the Minister.
- (2) The Minister in determining the price of Minerals as referred to in paragraph (1), may base it on considerations from the Coordination Team.
- (3) Every transaction involving the shipment of sales of Minerals as referred to in paragraph (1) shall be subject to non-tax state revenue and must be recorded and reported to the Minister as part of the periodic report.
- (4) The imposition of non-tax state revenue as referred to in paragraph (3) shall be implemented in accordance with the procedures for imposition, payment, and/or collection of non-tax state revenue as regulated by the Minister.
- (5) The imposition of tariffs and types of non-tax state revenues to be collected as referred to in paragraph (4) shall be carried out in accordance with provisions of the laws and regulations.
- (6) The implementation of sales and marketing of Minerals that have been processed and have added value increased shall refer to the provisions of laws and regulations in the trade sector.

### **CHAPTER IV**

#### **RIGHTS, OBLIGATIONS, AND PROHIBITIONS ON MINERAL MANAGEMENT IN THE INTERNATIONAL SEA BED AREA**

##### **Article 42**

- (1) Contractors in Exploration activities have the right to:
  - a. obtain exclusive rights to Exploration in areas included in the approved Exploration work plan;
  - b. obtain a guarantee from the Authority to become a single entity in the approved operating area to carry out Exploration activities;
  - c. obtain priority preference rights for submitting Exploitation contracts in areas where Exploration activities have been completed; and
  - d. other rights in accordance with the provisions of laws and regulations.
- (2) Contractors in Exploitation activities have the right to:

- a. obtain exclusive rights for Exploitation in areas included in the approved Exploitation Work Plan;
  - b. obtain a guarantee from the Authority to become a single entity in the approved operating area to carry out management of Exploitation activities;
  - c. sell excavated Minerals in accordance with Authority Regulations;
  - d. cooperate with other parties in carrying out extraction and processing; and
  - e. other rights in accordance with the provisions of laws and regulations.
- (3) The contractor must:
- a. be subject to the provisions of laws and regulations, Conventions, Implementation Agreements, and/or Authority Regulations;
  - b. fulfill all the conditions stated in the Support Certificate;
  - c. fulfill all the provisions agreed upon in the cooperation agreement for the Contractor within the framework of the cooperation;
  - d. place environmental management guarantee funds;
  - e. fulfill all provisions in the Exploration work contract that have been approved by the Authority;
  - f. pay financial obligations to the Central Government including:
    - 1. sponsorship request fees;
    - 2. taxes in accordance with the provisions of laws and regulations in the field of taxation;
    - 3. import duties and excise in accordance with the provisions of laws and regulations in the field of customs and excise;
    - 4. annual fee;
    - 5. production contribution to Exploitation activities; and
    - 6. other contributions stipulated in the agreement on Exploitation activities;
  - g. submit reports on the implementation of activities to the Minister and Authorities in accordance with the provisions of laws and regulations;
  - h. deposit the sponsorship request fee as referred to in letter f number 1 in accordance with the provisions of laws and regulations.
- (4) Contractors shall be prohibited from:
- a. carrying out activities outside the Exploration contract area;
  - b. not fulfilling obligations; and
  - c. redirecting Support Certificate.

## **CHAPTER V**

### **REPORTING, GUIDANCE AND SUPERVISION, AND PERFORMANCE RESULT ASSESSMENT**

#### **Division One**

#### **Reporting**



**Article 43**

- (1) Prospecting activity implementers and Contractors must submit reports on Mineral management activities in KDLI to the Minister in the form of:
  - a. periodic report every 3 (three) months;
  - b. annual report; and/or
  - c. final report.
- (2) Periodic reports every 3 (three) months as referred to in paragraph (1) letter a shall be carried out by the Contractor that contain a summary of the development of Exploration or Exploitation activities at KDLI including aspects of protection and mitigation of environmental management impact risks.
- (3) The annual report as referred to in paragraph (1) letter b shall be carried out by the Prospecting activity Implementer and Contractor that contain a map of Mineralization indications and recommendations for implementing Mineral management activities at KDLI.
- (4) The final report as referred to in paragraph (1) letter c shall be carried out by the Prospecting Activity Implementer and Exploration Contractor which consists of:
  - a. for Prospecting implementers:
    - 1) general description of the development of Prospecting activities and the results obtained; and
    - 2) information regarding compliance with the provisions of the Convention, Implementing Agreement, and/or Authority Regulations.
  - b. for Exploration Contractors:
    - 1) data and information reports obtained from Mineral management activities at KDLI and regional maps;
    - 2) report on the results of Mineral management activities at KDLI; and
    - 3) Mineral resource and/or reserve estimation report at KDLI.
- (5) The periodic reports as referred to in paragraph (2) shall be submitted to the Minister.
- (6) The Annual Report as referred to in paragraph (3) shall be submitted to the Minister and the Authority in accordance with the provisions and timetable specified in the Authority Regulations.
- (7) The final report as referred to in paragraph (4) must be submitted to the Minister no later than 90 (ninety) calendar days after the end of Mineral management activities at KDLI.

**Division Two  
Coaching****Article 44**

- (1) The Minister and related ministers who are members of the Coordination Team shall provide coaching to Prospective Contractors and Contractors in managing Minerals in KDLI.
- (2) The coaching as referred to in paragraph (1) shall include:
  - a. implementation of the Work Plan;

- b. continuous assessment of the performance and qualifications of Prospective Contractors and Contractors in accordance with the provisions of the Convention, Implementation Agreement, and/or Authority Regulations;
- c. implementation of training and capacity building; and/or
- d. publication of modules, guidelines, and technical instructions for implementing Mineral management at KDLI.

### **Division Three**

#### **Supervision**

#### **Subdivision 1**

##### **General**

#### **Article 45**

- (1) The Minister and related ministers who are members of the Coordination Team shall supervise Prospective Contractors and Contractors in the management of Minerals in KDLI.
- (2) Supervision as referred to in paragraph (1) shall be carried out on:
  - a. implementation of the Work Plan;
  - b. compliance of Prospective Contractors and Contractors with obligations to the Central Government and Authorities;
  - c. the Prospective Contractor's and Contractor's compliance with the provisions of the Convention, Implementation Agreement, and/or Authority Regulations on an ongoing basis;
  - d. Contractor compliance in submitting reports on the implementation of Prospecting, Exploration, and/or Exploitation activities to the Minister and Authorities; and
  - e. conformity of activities to the provisions of laws and regulations.
- (3) Supervision as referred to in paragraph (1) which is within the scope of the Minister's authority shall be carried out by the Minister.
- (4) Supervision by other relevant ministers as referred to in paragraph (1) shall be carried out in accordance with the scope of duties and functions based on provisions of the laws and regulations.
- (5) If it is necessary to involve experts/specialists in carrying out supervision as referred to in paragraph (1), a team may be formed involving experts/specialists, academics, and/or practitioners.

#### **Article 46**

Supervision as referred to in Article 45 paragraph (2) shall include the following aspects:

- a. Exploration and Exploitation techniques at KDLI;
- b. Exploration business activities and business feasibility;
- c. production and marketing;
- d. finance;

- e. Mineral data processing;
- f. Exploration and Exploitation safety;
- g. environmental management;
- h. domestic workforce development; and
- i. mastery, development, and application of technology.

## **Subdivision 2**

### **Technical Supervision of Exploration and Exploitation**

#### **Article 47**

- (1) Technical supervision of Exploration and Exploitation as referred to in Article 46 letter a shall be carried out on Contractors for:
  - a. implementation of Exploration techniques; and
  - b. procedures for estimating resources and reserves.
- (2) Technical supervision of Exploration and Exploitation as referred to in paragraph (1) shall be carried out at least for the planning and implementation of:
  - a. construction including testing of Exploration and Exploitation equipment (commissioning);
  - b. mining;
  - c. processing and/or refining of Minerals; and
  - d. transportation.

## **Subdivision 3**

### **Supervision of Exploration Business Activities and Business Feasibility**

#### **Article 48**

Supervision of Exploration and Business Feasibility business activities shall be carried out on Prospective Contractors and Contractors as referred to in Article 46 letter b which may include:

- a. general investigation plans and activities;
- b. Exploration business plans and activities;
- c. Exploration costs;
- d. Exploration activity performance;
- e. evaluation of the results of the estimation of Mineral resources and reserves; and
- f. evaluation of the feasibility study report.

## **Subdivision 4**

## **Production and Marketing Supervision**

### **Article 49**

Supervision of production and marketing as referred to in Article 46 letter c shall be carried out on Contractors and may include:

- a. quantity and quality of Minerals from mining;
- b. implementation of production facility construction;
- c. supporting production facilities and infrastructure;
- d. Mineral sales price;
- e. Mineral sales contracts; and
- f. verification of the quantity and quality of Minerals sold.

### **Subdivision 5 Financial Supervision**

#### **Article 50**

Financial supervision as referred to in Article 46 letter d shall be carried out on Prospective Contractors and Contractors and may include:

- a. financial statements;
- b. budget implementation, financing investments, and loans;
- c. implementation of efficiency, effectiveness, and financial soundness; and
- d. changes in capital and shareholders.

### **Subdivision 6 Mineral Data Processing Supervision**

#### **Article 51**

Supervision of Mineral data processing as referred to in Article 46 letter e shall be carried out by Contractors and may include:

- a. activities and methods of data acquisition;
- b. data administration activities;
- c. data organization, storage, maintenance, and destruction activities;
- d. data validation and analysis activities; and
- e. data management in the form of using information systems or technology.

**Subdivision 7****Exploration and Exploitation Safety Supervision****Article 52**

Safety supervision of Exploration and Exploitation as referred to in Article 46 letter f shall be carried out on Contractors and may include:

- a. occupational safety and health Exploration and Exploitation;
- b. Exploration and Exploitation work environment; and
- c. implementation of the Exploration and Exploitation safety management system.

**Subdivision 8****Environmental Management Supervision****Article 53**

Supervision of environmental management as referred to in Article 46 letter g shall be carried out on Prospective Contractors and Contractors regarding environmental management in accordance with the provisions of laws and regulations in the field of environmental protection and management and Authority Regulations by the relevant ministers who are members of the Coordination Team as referred to in Article 45 paragraph (1).

**Subdivision 9****Supervision of Domestic Workforce Development****Article 54**

- (1) Supervision of domestic workforce development as referred to in Article 46 letter h shall be carried out on Prospective Contractors and Contractors regarding:
  - a. use of labor;
  - b. implementation of workforce development programs;
  - c. implementation of the transfer of competence, expertise, and positions from foreign workers to accompanying Indonesian workers; and
  - d. workforce development cost plan.
- (2) Supervision of domestic workforce development as referred to in paragraph (1) shall be carried out in accordance with the provisions of laws and regulations in the field of employment and Authority Regulations by the relevant minister as referred to in Article 45 paragraph (1).

**Subdivision 10****Supervision of Technology Mastery, Development, and Implementation**

**Article 55**

Supervision of Mastery, Development, and Application of Technology as referred to in Article 46 letter i shall be carried out for Prospective Contractors and Contractors regarding:

- a. technical study evaluation;
- b. technology trial approval; and
- c. approval of technology control, development, and application,

in accordance with the provisions of laws and regulations by the relevant minister as referred to in Article 45 paragraph (1).

**Division Four  
Performance Assessment****Article 56**

- (1) The coaching and supervision as referred to in Article 44 and Article 45 shall be the basis for the Minister and related ministers who are members of the Coordination Team in assessing the performance of Prospective Contractors and Contractors.
- (2) Performance assessment for Prospective Contractors and Contractors as referred to in paragraph (1), shall be regarding:
  - a. conformity of activity implementation with the approved Work Plan; and
  - b. the contents of the report submitted are in accordance with provisions of the Laws and Regulations, provisions of the Convention, Implementation Agreement, and/or Authority Regulations.
- (3) Prospective Contractors and Contractors must comply with the evaluation results recommended in the performance assessment carried out by the Minister and related ministers as referred to in paragraph (1).
- (4) Prospective Contractors and Contractors must have a commitment to make improvements in accordance with the performance assessment carried out by the Minister and related ministers as referred to in paragraph (1).

**Article 57**

- (1) Prospective Contractors or Contractors that do not meet the evaluation results as referred to in Article 56 paragraph (3) and do not have a commitment to make improvements in accordance with the performance assessment as referred to in Article 56 paragraph (4), may have their Support Certificate revoked without going through the administrative sanction stages in accordance with provisions of the laws and regulations.
- (2) In the event that the Minister has carried out coaching and supervision, the Contractor shall be fully responsible for claims for compensation resulting from the Contractor's negligence and failure to fulfill its obligations under the provisions of the Convention, Implementation Agreement, Authority Regulations, and/or Cooperation Agreement during the implementation of Exploration or Exploitation activities.

**Article 58**

The Minister and related ministers shall determine performance assessment guidelines as referred to in Article



56.

## **CHAPTER VI**

### **DATA AND INFORMATION**

#### **Article 59**

- (1) Business Entities or Foreign Business Entities that carry out Prospecting, Exploration, and/or Exploitation activities must:
  - a. store, secure, and keep confidential data and information on Prospecting, Exploration, and/or Exploitation activities at KDLI in accordance with the Authority Regulations; and
  - b. submit all data and information obtained to the Minister in the form of a report accompanied by a regional map with provisions regarding confidential and non-confidential data in accordance with the Authority Regulations.
- (2) The data and information as referred to in paragraph (1), for Exploration activities in KDLI shall at least consist of:
  - a. bathymetric data and information in the Exploration contract area;
  - b. data and information from geological mapping results;
  - c. data and information from geophysical analysis results;
  - d. data and information on laboratory analysis results, including geology, chemistry, geochemistry, and Mineral physics;
  - e. map of the results of the interpretation of geological, geophysical, and geochemical data;
  - f. realization of costs for Mineral management at KDLI;
  - g. cross-section/sketch/logbor;
  - h. 3 (three) dimensional modeling;
  - i. status and/or condition of the area; and/or
  - j. estimation and quantity of Mineral resources and/or reserves in KDLI.
- (3) The data and information referred to in paragraph (1), in the Exploitation activities at KDLI shall be carried out in accordance with the Authority Regulations.
- (4) Confidential data, shall be at least:
  - a. relating to personnel matters;
  - b. relating to employee health records;
  - c. categorized as confidential by the Authority; and
  - d. categorized as confidential by the Central Government as the sponsoring country.
- (5) Submission of data and information as referred to in paragraph (1) and paragraph (2) and categorization of data as referred to in paragraph (4) must be carried out in accordance with the Authority's Regulations and may be exempted in accordance with the contents of the cooperation contract or consultation with the Authority.

## **CHAPTER VII ADMINISTRATIVE SANCTIONS**

### **Article 60**

- (1) Prospective Contractors or Contractors that violate the obligations as referred to in Article 19 paragraph (2), Article 30 paragraph (2), Article 31 paragraph (4), Article 32 paragraph (2), Article 33 paragraph (4), Article 35 paragraph (2), Article 40 paragraph (3) and paragraph (4), Article 41 paragraph (1) and paragraph (3), Article 42 paragraph (3), Article 43, Article 56 paragraph (3) and paragraph (4), or Article 59, shall be subject to administrative sanctions.
- (2) Administrative sanctions as referred to in paragraph (1) shall be in the form of:
  - a. written warning; and/or
  - b. revocation of Support Certificate.
- (3) Administrative sanctions as referred to in paragraph (2) shall be imposed by the Minister.

### **Article 61**

Administrative sanction in the form of written warnings as referred to in Article 60 paragraph (2) letter a shall be given a maximum of 3 (three) times with each warning period being a maximum of 30 (thirty) calendar days.

### **Article 62**

Administrative sanction in the form of revocation of the Support Certificate as referred to in Article 60 paragraph (2) letter b shall be imposed on Prospective Contractors and Contractors that do not carry out their obligations by the end of the third written warning period as referred to in Article 61.

## **CHAPTER VIII MISCELLANEOUS PROVISIONS**

### **Article 63**

In the event that the Minister revokes the Support Certificate:

- a. the Minister shall deliver notification to the Authority through the minister who organizes government affairs in the foreign affairs sector; and
- b. the Minister shall continue to supervise the Contractor's obligations until the revocation of the Support Certificate in accordance with the Authority Regulations.

## **CHAPTER IX CLOSING PROVISION**

### **Article 64**

This Regulation of the Minister shall come into force from the date of its promulgation.

For public cognizance, it is hereby ordered that this Regulation of the Minister be promulgated in the Official Gazette of the Republic of Indonesia.

Established in Jakarta

on 14 April 2025

THE MINISTER OF ENERGY AND MINERAL RESOURCES OF THE REPUBLIC OF INDONESIA,

Signed.

BAHLIL LAHADALIA

Promulgated in Jakarta

on 17 April 2025

DIRECTOR GENERAL OF LAWS AND REGULATIONS OF THE MINISTRY OF LAW OF THE REPUBLIC OF INDONESIA,

Signed.

DAHAHANA PUTRA

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA OF 2025 NUMBER 266

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